

The request filed on 6/22/2011 for a Request for Continuing Examination (RCE) under 37 CFR 1.114 is acceptable and an RCE has been established. Any previous finality is hereby withdrawn and a new action on the merits follows. Any newly-submitted claims have been added. An action on the RCE follows.

The status of the claims is as follows:

Claims 1-2 have been cancelled; and

Claims 3-7 are herein addressed below.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

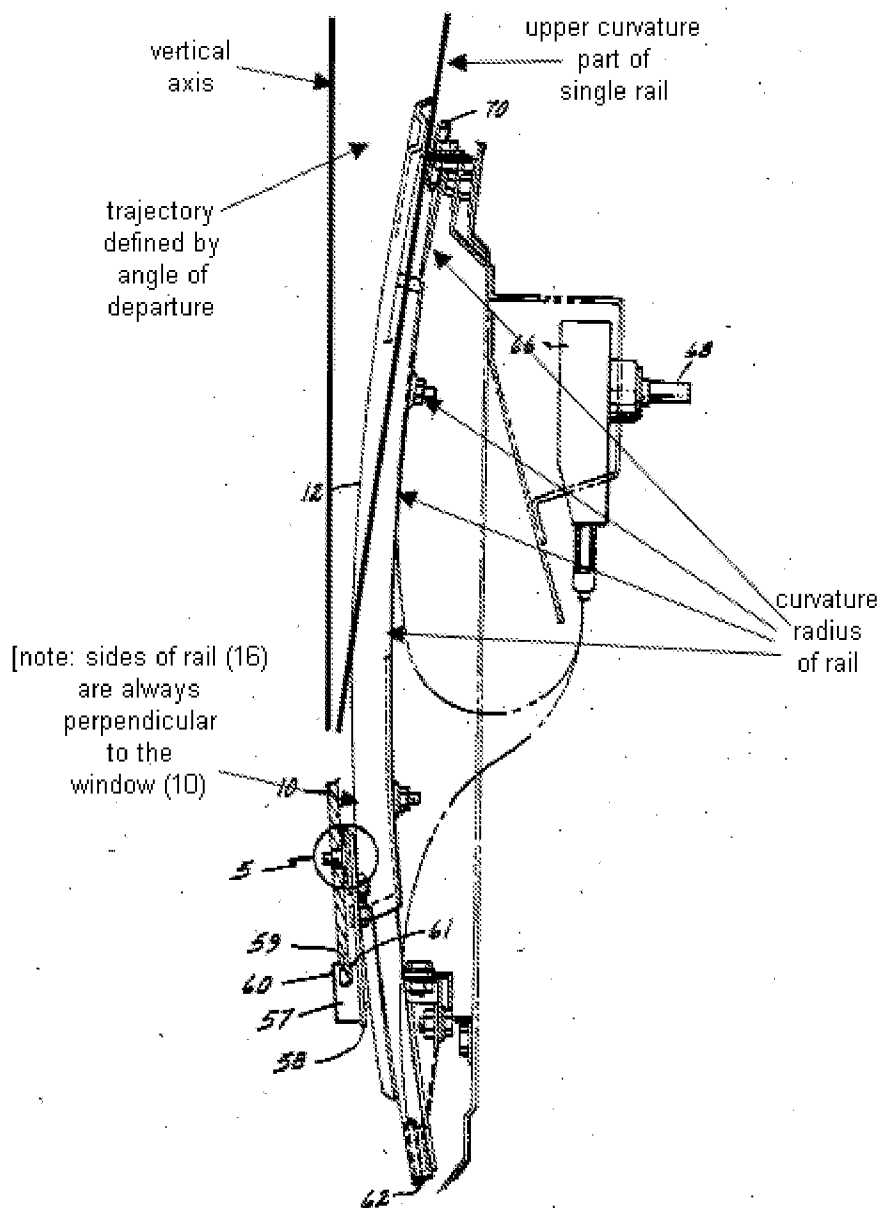
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 3 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Bickerstaff (4,589,227). As shown below, Bickerstaff (4,589,227) discloses an operating device for a vehicle consisting of at least one slider (25) joined to a window (10), the at least one slider (25) slides along a single guide rail (16), the guide rail (16) defining a curved trajectory (see Figure 2) which the window (10) follows during operation of the device (moves between 10a and 10b via cable (62) [claim 6]), the trajectory being determined by an angle of departure formed by a vertical axis and an axis defined by an upper curvature part of the rail (16) and by a curvature radius of the rail (16) with the side of the rail (16) being perpendicular to the window (10) [claim 5], and means for

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adjusting (slot 32) the position of the device with regard to a door of a vehicle wherein the angle of departure is between + 45 degrees and -45 degrees wherein the means has two lateral screws (extending within slot 32) for lateral adjustment, and at least one screw (see figure 5) on the slider which allows the position of the window (10) to be adjusted with regard to the rail (16) and the slider. [note: the thickness of the plates (52, 56, 58, 48, and 50) allows the thickness between the window (10) and the slider to be adjusted]



The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bickerstaff (4,589,227). All of the elements of the instant invention are discussed in detail above except providing the curvature of radius to be more than 500mm. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the curvature of radius of Bickerstaff ('227) to be more than 500mm since 500mm is merely an experimental value and one of ordinary skill in the art at the time of the invention to provide the curvature of radius to be more than 500mm since 500mm allows a gradual curvature of radius. Furthermore, Bickerstaff ('227) would operate equally as well with a curvature of radius to be more than 500mm.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Redman whose telephone number is 571-272-6835. The examiner can normally be reached on M-TH from 8 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Mitchell, can be reached on 571-272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jerry Redman
Primary Examiner
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